

District Attorney

Brad Fenocchio, District Attorney

MISSION STATEMENT

To pursue justice, protect victims' rights and public safety on behalf of the people of the State of California and the County of Placer. Through vigorous, equal, and efficient enforcement of the criminal law, prosecutors working on behalf of the Office of the District Attorney represent the people of the State of California in the criminal justice system and work with law enforcement agencies to assure the rights of the innocent, to prosecute and hold accountable the guilty, and to protect victims' and witnesses' rights.

DISTRICT ATTORNEY FUND 110 / APPROPRIATION 21710

	Actual 2002-03	Actual 2003-04	Requested 2004-05	Recommended 2004-05	Change %	Adopted 2004-05
Expenditures						
Salaries and Employee Benefits	\$ 8,000,261	\$ 8,671,868	\$ 10,143,791	\$ 9,900,407	14%	\$ 10,402,281
Services and Supplies	1,261,322	1,329,400	1,766,151	1,128,439	-15%	1,584,819
Other Charges	73,100	8,676	-	-	-100%	-
Capital Assets	-	-	-	-	0%	12,400
Intra Fund Charges	868,315	870,847	910,983	910,983	5%	910,983
Gross Budget:	10,202,998	10,880,791	12,820,925	11,939,829	10%	12,910,483
Intra Fund Credits	(4,254,395)	(68,316)	(57,359)	(57,359)	-16%	(57,359)
Appropriations for Contingencies	-	-	-	-	0%	-
Net Budget:	\$ 5,948,603	\$ 10,812,475	\$ 12,763,566	\$ 11,882,470	10%	\$ 12,853,124
Revenue						
Fines, Forfeits and Penalties	\$ 75,786	\$ 137,979	\$ 102,600	\$ 102,600	-26%	\$ 102,600
Intergovernmental Revenue	4,523,120	4,763,207	4,890,959	4,890,959	3%	4,981,260
Charges for Services	59,880	50,333	48,364	48,364	-4%	48,364
Miscellaneous Revenue	-	631	-	-	-100%	58,581
Other Financing Sources	-	6,840,547	6,840,547	6,840,547	0%	6,840,547
Total Revenue:	4,658,786	11,792,697	11,882,470	11,882,470	1%	12,031,352
Net County Cost:	\$ 1,289,817	\$ (980,222)	\$ 881,096	\$ -	-100%	\$ 821,772
Fixed Assets	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,400
Allocated Positions	107	107	107	107	0%	107

CORE FUNCTION

District Attorney Services

Prosecutes serious and violent crime throughout the County and assists with criminal investigations conducted by law enforcement agencies, makes reasonable and ethical decisions in initiating prosecutions, provides aid and assistance to those who have been victimized by crime and directs resources to prosecute criminal misconduct.

FY 2003-04 Major Accomplishments

- Successfully obtained resolutions in 7,200 criminal cases.
- Successfully provided 24-hour standby assistance to law enforcement agencies.
- Successfully provided 24-hour standby assistance to victims of domestic violence and elder abuse.
- Successfully implemented cost savings activities to limit expenditure without compromising the effective prosecution of any criminal case.
- Reduced operating expenses in an effort to conform to County Executive Office and Board of Supervisors expectations.

Public Protection Services

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FY 2004-05 Planned Accomplishments

- Continue to appropriately investigate, review and charge criminal cases in a timely manner.
- Continue to obtain timely resolutions of criminal cases.
- Continue to seek justice for the victims of crime.
- Continue to ensure that victims receive appropriate restitution.
- Continue to ensure that defendants are appropriately punished for their criminal conduct.
- Continue to provide support to victims and witnesses through the Victim Witness Program.
- Continue to be available to law enforcement officers 24 hours a day for assistance.
- Continue to provide legal training to law enforcement agencies.
- Continue to pursue additional office revenue and cost reduction activities.
- Continue work on the development of the South Placer Criminal Justice Facility.

Department Comments

We have worked hard this past year in an environment where growth has brought an increase in law enforcement personnel and a resultant increase in criminal case referrals, as we also attempted to downwardly adjust our necessary expenses to fit within budgetary recommendations.

We were successful in maintaining service levels.

It will be our continuing challenge to maintain a high level of service and meet law enforcement's and the public's expectations in an environment where our own resources may be shrinking.

This office stands ready to do whatever is reasonable in order to continue performing its duty of assuring the public's safety while, simultaneously, adjusting to the possibility of losing staff through attrition, without funding to replace them; while cutting back on expenditures that could impact case investigation and preparation; and while possibly reducing the number of office locations serving the justice system.

The pressures to maintain our high level of service are understandable and this service expectation will naturally expand with the population increase. The pressures to reduce the costs of providing that same level of service are equally understandable in an economic environment such as the one that currently exists. We remain committed to securing the public's safety. To secure that commitment, we are hopeful that the necessary funds become available.

County Executive Comments And Recommendations

The recommended gross expenditures have increased by 2.8% over FY 2003-04, with increases occurring in costs for personnel and charges from other departments. Public safety revenues (including public safety sales taxes and intergovernmental grants and revenues) are not adequate to fund the department's requested budget. Accordingly, to help pay for these cost increases and help mitigate potential service level impacts, the District Attorney has implemented cost saving measures, including maintaining position vacancies, negotiating reduced costs for services provided and instituting operational efficiencies. Given the uncertainty of future impacts related to the state and limited discretionary funding, the General Fund contribution to this budget remains at the FY 2003-04 level for a total of \$6,240,547.

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The department's requested budget does not include funding for four vacant positions (a victim witness advocate, which is dependent upon state funding, an investigator, which is dependent upon Child Support Services reimbursements, an administrative technician and an attorney for one half of the year). Not included in the proposed budget, because of inadequate public safety revenues, are requests for additional funding augmentations of \$243,384 for personnel and benefit costs, \$500,000 for new case management software and ancillary costs and \$137,712 for the current system maintenance charges. Revenues have been revised to reflect current projections. The County Executive Office will work with the District Attorney and prepare additional budget recommendations as part of the final budget based upon the actual carryover public safety fund balance, the District Attorney's current priorities, and after considering the results of the technology feasibility study.

The District Attorney is continuing to assess how best to allocate available resources and mitigate service level impacts. Given the funding constraints, it is important that the public protection system continue to collaboratively seek systemwide economies and efficiencies, and review systemwide priorities, strategies and programs to ensure that available resources are directed to the most critical priorities of the District Attorney, Probation Department, and Sheriff. Additional budget adjustments may be necessary to ensure a balance between available revenues and planned expenditures if the carryover public safety fund balance and revenues, including public safety sales taxes and other intergovernmental revenues from the state, are not fully realized.

Department requested funding considerations for final budget:

- Augment funding for salaries and benefits (\$243,384)
- Augment funding for a new case management system (\$500,000)
- Augment funding for services and supplies (\$137,712)

Final Budget Changes from the Proposed Budget

Recommended increases in Public Safety Sales Tax and other revenues, in addition to fund balance carryover will fund the recommended net changes to the *District Attorney* appropriation. With Final Budget recommendations the District Attorney's budget has increased \$970,656, of which \$440,865 will fund a Case Management System and \$27,915 provides funding for the SART Program. Revenue estimates have increased by \$148,882. The District Attorney placed excess carryover fund balance into a Reserve for Automation (\$136,573).

CORE FUNCTION: DISTRICT ATTORNEY

General Criminal Case Determinations Program

Program Purpose: To review and file charges in criminal cases and to represent the people in the State of California and County of Placer in court in order to hold the guilty accountable and protect public safety.

Total Expenditures: \$10,513,158

Total Staffing: 81.0

- **Key Intended Outcome:** To effectively represent the people in the state and County of Placer in court.

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General Criminal Case Determinations Indicators:	Actual 2002-03	Actual 2003-04	Target 2004-05
# of felony/misdemeanor/ juvenile and drug court appearances**	60,983	60,927	67,347
# of felony cases filed**	2,004	2,088	2,197
# of misdemeanor cases filed**	4,288	4,578	5,305
# of juvenile cases filed**	805	725	701
% of felony conviction rate*	N/A	86.5%	93%
% of misdemeanor conviction rate*	N/A	88%	94%
% of juvenile conviction rate*	N/A	86%	94%
# of felony family protection cases convicted	N/A	118	146
# of misdemeanor family protection cases convicted	N/A	347	357
# of Three Strike cases convicted	N/A	102	114
# of sexual assault cases convicted	N/A	124	150
# of driving under the influence (DUI) cases convicted	N/A	1,703	1,914
*Note: It is difficult to determine conviction rates in these matters on a fiscal year basis. Cases may be filed during one fiscal period and are adjudicated during the next fiscal period.			
**Note: Includes cases ultimately dismissed for insufficient evidence, or in the interest of justice, or for other legal reasons.			

Investigations Program

Program Purpose: To assist attorneys by conducting supplemental and pre-trial investigations of criminal and civil offenses, and to locate and return parentally abducted children.

Total Expenditures: \$1,538,511

Total Staffing: 14.0

- **Key Intended Outcome:** Attorneys will continue to receive the information and support necessary to present clear and concise cases and assist the court to enforce orders that parentally abducted children are returned to appropriate locations.

Investigations Indicators:	Actual 2002-03	Actual 2003-04	Target 2004-05
# of cases referred	2,821	3,085	2,900
# of abduction / custody cases	14	48	16
# of children recovered	14	12	12

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Victim Services Program

Program Purpose: To provide advocacy and assistance to witnesses and victims of crime and witnesses by obtaining restraining orders and assisting with restitution through the State Board of Control.

Total Expenditures: \$769,256

Total Staffing: 12.0

- **Key Intended Outcome:** Victims will continue to be aided during a time of crisis and assisted in their recovery.

Victim Services Indicators:	Actual 2002-03	Actual 2003-04	Target 2004-05
# of new victims assisted	1,604	1,131	1,600
# of restitution claims submitted on behalf of the victims	716	790	850

Bad Check Program

Program Purpose: To collect full payment for bad checks written to local businesses and merchants at no cost to the victims in order to assist merchants in the recovery of lost business proceeds.

Total Expenditures: ***

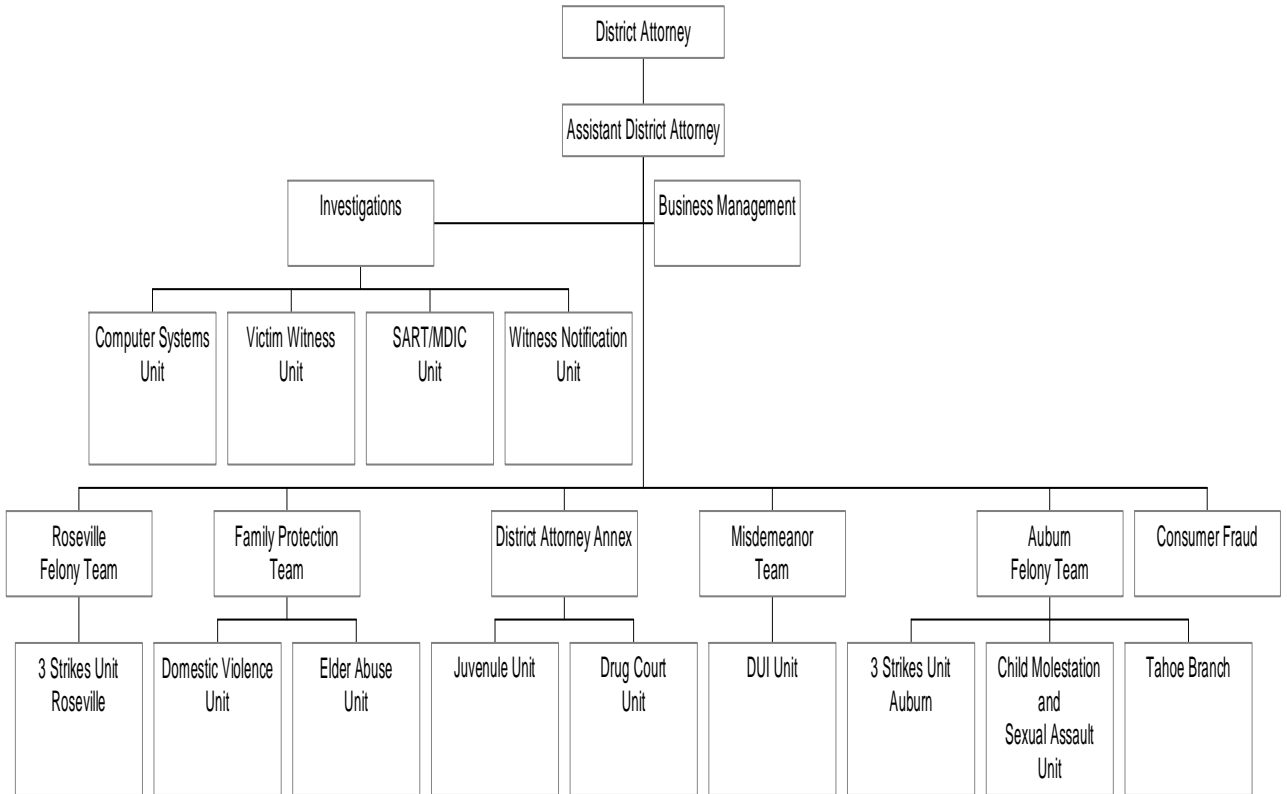
Total Staffing: ***

***Note: Contracted to Computer Support Services for collection.
Occasionally requires General Fund expenditures for prosecution.

- **Key Intended Outcome:** Merchants' losses through bad checks will be reduced.

Bad Check Indicators:	Actual 2002-03	Projected 2003-04	Target 2004-05
\$ recovered thus far	\$192,319	\$187,207	\$190,500
% of total checks recovered	75%	72%	72%

DISTRICT ATTORNEY



POSITIONS: 107

**DISTRICT ATTORNEY
APPROPRIATION SUMMARY
Fiscal Year 2004-05**

ADMINISTERED BY: DISTRICT ATTORNEY

Appropriation	FY 2003-04		FY 2004-05	
	Actual	Position Allocations	BOS Approved Budget	Position Allocations
OTHER OPERATING FUND District Attorney - Fund 110	\$ 10,812,475	107	\$ 12,865,524	107
TOTAL ALL FUNDS	\$ 10,812,475	107	\$ 12,865,524	107

District Attorney

Public Safety Operations Fund

Fund: 110

Subfund: 0

Appropriation: 21710

Budget Category (1)	Actual 2002-03 (2)	Actual 2003-04 (3)	Dept Req 2004-05 (4)	CEO Rec 2004-05 (5)	BOS Adopted 2004-05 (6)
Salaries & Benefits					
1001 Employee Paid Sick Leave	823				
1002 Salaries and Wages	6,137,475	6,384,691	6,890,387	6,701,009	7,068,119
1003 Extra Help	65,211	66,075	60,583	60,583	60,583
1005 Overtime & Call Back	2,528	7,134	4,000	4,000	4,000
1006 Sick Leave Payoff	19,690				
1300 P.E.R.S.	526,142	760,577	1,477,298	1,441,594	1,539,023
1301 F.I.C.A.	440,854	449,414	532,055	519,315	545,652
1310 Employee Group Ins	647,503	743,277	945,455	945,455	945,455
1315 Workers Comp Insurance	160,035	260,700	234,013	228,451	239,449
Total Salaries & Benefits	8,000,261	8,671,868	10,143,791	9,900,407	10,402,281
Services & Supplies					
2050 Communications - Radio	4,231	7,115			
2051 Communications - Telephone	142,683	135,973	135,355	135,355	135,355
2140 Gen Liability Ins	135,621	237,427	169,951	169,951	169,951
2254 Witness & Criminal Indictment	5,995	7,526	18,000	18,000	18,000
2257 Witness Fees	10,488	2,725	40,000	40,000	40,000
2290 Maintenance - Equipment	12,730	12,910	12,000	12,000	12,000
2405 Materials - Bldgs & Impr	34,812	19,113	12,000	12,000	12,000
2439 Membership/Dues	22,369	24,992	21,345	21,345	21,345
2481 PC Acquisition		112,490			
2511 Printing	48,374	68,788	50,000	50,000	50,000
2522 Other Supplies	45,689	24,526	7,500	7,500	23,015
2523 Office Supplies & Exp	44,812	41,708	35,000	35,000	35,000
2524 Postage	13,603	12,244	15,500	15,500	15,500
2555 Prof/Spec Svcs - Purchased	425,359	354,010	478,154	340,442	340,442
2709 Rents & Leases - Computer SW	34,472	36,434	38,123	38,123	38,123
2711 Rents & Leases - Auto	68,507	76,531	80,000	80,000	80,000
2727 Rents & Leases - Bldgs & Impr	57,954	59,499	61,095	61,095	61,095
2770 Fuels & Lubricants	12,312	14,427	11,800	11,800	11,800
2809 Rents and Leases-PC	52,867	3,365			
2838 Special Dept Expense-1099 Repor	4,139	6,986			
2840 Special Dept Expense	8,295	2,133	506,328	6,328	447,193
2850 Law Enforcement Special Expense	15,985	25,670	30,000	30,000	30,000
2860 Library Materials	20,771	18,403	9,000	9,000	9,000
2931 Travel & Transportation	38,130	23,425	30,000	30,000	30,000
2941 County Vehicle Mileage	1,124	980	5,000	5,000	5,000
Total Services & Supplies	1,261,322	1,329,400	1,766,151	1,128,439	1,584,819
Other Charges					
3020 St - Tahoe Women's Services	22,496				
3066 Victim Compensation Services	50,604	8,676			
Total Other Charges	73,100	8,676			
Fixed Assets					
4451 Equipment					12,400
Total Fixed Assets					12,400
Charges From Departments					
5051 I/T - Communications			6,480	6,480	6,480
5291 I/T Maintenance - Computer Equipm			2,000	2,000	2,000
5310 I/T Employee Group Insurance	139,044	197,093	257,465	257,465	257,465
5405 I/T Maintenance - Bldgs & Improvem	70,850	45,972	74,343	74,343	74,343
5456 I/T Miscellaneous Expense	3,309	2,109			
5523 I/T Office Supplies & Expenses	54				
5552 I/T - MIS Services	465,864	451,972	372,372	372,372	372,372
5553 I/T - Revenue Services Charges	1,032	2,260	1,010	1,010	1,010
5555 I/T Prof/Special Services - Purchase	8,594		10,000	10,000	10,000

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Public Safety Operations Fund

Fund: 110

Subfund: 0

Appropriation: 21710

Budget Category (1)	Actual 2002-03 (2)	Actual 2003-04 (3)	Dept Req 2004-05 (4)	CEO Rec 2004-05 (5)	BOS Adopted 2004-05 (6)
5556 I/T - Professional Services	100,803	102,308	119,000	119,000	119,000
5840 I/T Special Dept Expense	100				
5880 I/T-Public Safety Svcs	10,352				
5965 I/T Utilities	68,313	69,133	68,313	68,313	68,313
Total Charges From Departments	868,315	870,847	910,983	910,983	910,983
Gross Budget	10,202,998	10,880,791	12,820,925	11,939,829	12,910,483
Less: Charges to Departments					
5001 Intrafund Transfers	(3,100)				
5002 I/T - County General Fund	(4,223,245)	(46,021)			
5011 I/T - Public Safety Fund	(28,050)	(22,295)	(57,359)	(57,359)	(57,359)
Total Charges to Departments	(4,254,395)	(68,316)	(57,359)	(57,359)	(57,359)
Net Budget	5,948,603	10,812,475	12,763,566	11,882,470	12,853,124
Less: Revenues					
6851 Vehicle Code Fines-Alcohol	(68,461)	(74,314)	(60,100)	(60,100)	(60,100)
6860 Forfeitures & Penalties	(1,773)	(2,031)	(2,500)	(2,500)	(2,500)
6862 Consumer Fraud Fines	(5,552)	(61,634)	(40,000)	(40,000)	(40,000)
7134 Tobacco Tax (Prop 10)	(20,485)	12,155	(50,561)		
7209 Elder Abuse Vert Pros Prog	(83,041)				
7210 Elder Abuse	(116,793)	(109,744)	(110,000)	(110,000)	(110,000)
7211 State Aid Auto Insurance Fraud		(9,685)	(18,500)	(18,500)	(18,500)
7232 State Aid - Other	(33,261)	(33,261)	(33,261)	(33,261)	(33,261)
7235 State - Tahoe Women's Service	(22,496)				
7292 Aid from Other Governmental Ag	(58,462)	(68,570)	(73,095)	(73,095)	(73,095)
7296 Aid from Children & Families 1st	(48,457)	(71,794)		(50,561)	(50,561)
7309 State Criminal Restitution Prog	(28,496)	(23,934)	(29,152)	(29,152)	
7336 State - Victim/Witness Program	(146,000)	(187,184)	(188,776)	(188,776)	(188,776)
7337 State BOC Burial Grant	(48,246)	(10,343)			
7338 State Aid - Child Abuse Vertical P	(150,000)	(151,675)	(150,000)	(150,000)	(150,000)
7339 State - DA - Bd of Control	(316,010)	(234,013)	(261,138)	(261,138)	(261,138)
7392 State Highway Users Tax - 2182		(600)			
7402 State Aid AB90 Realign	(130,720)	(134,323)			
7424 State Aid - Public Safety Service	(3,091,127)	(3,644,418)	(3,881,717)	(3,881,717)	(4,001,170)
7426 State Aid Public Asst Rlgnd Grow	(1,273)	(2,932)			
7457 State Aid - Workers Comp Insur		(13,132)	(15,000)	(15,000)	(15,000)
7467 State Aid Supplemental Law Enf	(90,566)	(79,753)	(79,759)	(79,759)	(79,759)
7469 State Aid - Statutory Rape	(137,687)	(1)			
8122 Legal Services	(43,733)	(24,794)	(28,364)	(28,364)	(28,364)
8212 Other General Reimbursement		(716)			
8218 Forms and Photocopies	(16,147)	(15,298)	(20,000)	(20,000)	(20,000)
8219 Casino - Sales Tax In Lieu		(9,525)			
8746 Grants-Private Funds					(58,581)
8764 Miscellaneous Revenues		(495)			
8765 Restitution		(136)			
8779 Contributions from General Fun		(6,840,547)	(6,840,547)	(6,840,547)	(6,840,547)
Total Revenues	(4,658,786)	(11,792,697)	(11,882,470)	(11,882,470)	(12,031,352)
Net County Cost	1,289,817	(980,222)	881,096		821,772